

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

In the Matter of the Petition For Waiver of  
Allegiance Telecom of Illinois, Inc.

)  
) Docket No. \_\_\_\_\_

PETITION FOR WAIVER OF  
ALLEGIANCE TELECOM OF ILLINOIS, INC.

Allegiance Telecom of Illinois, Inc. ("Allegiance"), by its counsel, hereby requests a waiver of ILL. ADMIN. CODE tit. 83 §§ 725.500(o) and 725.620(b).

On May 20, 1998 in Docket No. 97-0670, the Commission issued an order granting Allegiance certificate authority to provide facilities-based and resold telecommunications throughout the State of Illinois. Allegiance is currently in the process of installing a switch to provide the services for which it was certificated.

Sections 725.500(o) and 725.620(b) require that call boxes be installed at a local exchange carrier's ("LEC") switch in order to allow a Public Safety Answering Position ("PSAP") employee to field 9-1-1 calls from that switch in the event of a trunking problem between the central office and the PSAP. This requirement is appropriate when applied to incumbent LECs, which have switching equipment installed in virtually every one of their several, geographically diverse central offices.

Allegiance's immediate plans, however, are to have only one switch in Illinois, serving the entire local access transport area ("LATA") number 358, which contains numerous PSAPs. It would be technically infeasible (and logistically impossible) for employees from each PSAP in LATA 358 to field calls from Allegiance's switch in the event of a trunking problem between Allegiance and the tandem through which Allegiance routes 9-1-1 calls. Therefore, Allegiance requests that it be exempted from complying with this requirement.<sup>1</sup> Although the call box requirement is not appropriately applied to Allegiance, Allegiance will ensure

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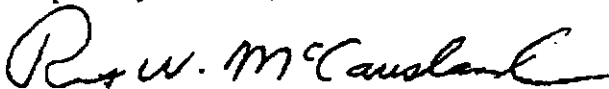
<sup>1</sup>Allegiance understands that other similarly situated non-incumbent LECs have filed similar waiver requests. See *MCImetro Access Transmission Services, Inc. - Petition for Waiver from the Requirements of 83 Illinois Administrative Code Sections 725.500(o) and 725.620(b)*, Docket No. 98-0170, filed March 6, 1998; *Focal Communications Corporation of Illinois - Petition for Waiver of 83 Ill. Admin. Code*

(continued...)

that it can process all emergency calls with a high degree of reliability. In support of this Petition for Waiver, Allegiance has attached the Affidavit of Charles Wehnes.

WHEREFORE, for the foregoing reasons, Allegiance hereby requests that the Commission waive ILL. ADMIN. CODE tit. 83 §§ 725.500(o) and 725.620(b) with respect to the requirement that it allow a PSAP employee to field 9-1-1 calls from a call box installed at Allegiance's switch.

Respectfully submitted,



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<sup>1</sup>(...continued)

725.500(o), Docket No. 98-0127, filed February 6, 1998. Allegiance also understands that the Commission staff is currently in ongoing discussions with the industry regarding potential revisions to Part 725 of the Administrative Code, and that this issue may be addressed of those ongoing discussions. Allegiance submits that it should be treated in the same manner as other non-incumbent LECs with respect to the call box requirements in Sections 725.500(o) and 725.620(b).

STATE OF ILLINOIS  
AFFIDAVIT OF CHARLES P. WEHNES

CITY OF NEW YORK ) ss:  
STATE OF NEW YORK )

I, Charles P. Wehnes, being duly sworn, depose and say:

- X 1. I am Senior Manager for Allegiance Telecom of Illinois, Inc. ("Allegiance" or "the Company"). My responsibilities for the Company include the negotiation of interconnection agreements and ancillary service agreements with incumbent LECs, the establishment of 911 billing, collection and administration agreements with various governmental and public service agencies, the establishment of municipal agreements and the handling of formal complaints. My business address is 805 Third Avenue, 17<sup>th</sup> Floor, New York, NY 10022.
- X 2. I have worked in the telecommunications industry since October, 1968. I joined Allegiance as Senior Manager on April 13, 1998. Prior to my current position, I held telecommunications positions at DMR TRECOM, WorldCom, Inc., MFS Communications Company, Inc. and NYNEX. I received a Bachelors degree in Economics from Hofstra University in Uniondale, NY.
- X 3. The purpose of my affidavit is to explain why Allegiance's compliance with ILL. ADMIN. CODE tit. 83, §§ 725.500(o) and 725.620(b) is both infeasible and unnecessary. Accordingly, the Commission should waive these provisions for Allegiance.
- ✓ 4. On December 22, 1997, Allegiance filed an application for certificate authority to provide facilities-based and resold telecommunications throughout the State of Illinois. On May 20, 1998 in Docket No. 97-0670, the Commission issued an order granting Allegiance the certificate authority it requested. Allegiance is currently in the process of establishing its operations and installing its facilities, including its switching equipment, in order to provide to services for which it was certificated.

- ✓ 5. I understand that Sections 725.500(c) and 725.625(b) are intended to require each local exchange carrier ("LEC") to install a call box at each of its switches for public safety answer point ("PSAP") personnel to use to receive 9-1-1 calls in the event the central office is unable to complete calls to the PSAP. While Allegiance is capable of physically installing a call box at its switch, this requirement does not make sense as applied to competitive LECs, like Allegiance, and would not achieve its public safety goals if it were applied to competitive LECs.
- ✓ 6. Although the call box requirement makes sense for incumbent LECs, whose networks are comprised of several central offices and switches in each of the geographically diverse areas served by each PSAP, competitive LECs, like Allegiance, likely will have only one switch or a few switches to serve a broad geographic areas in which they serve. Allegiance, in particular, currently plans to have a single switch in downtown Chicago to serve the entire local access transport area in and around Chicago ("LATA 358"), and area that contains between 200-300 PSAPs.
- ✓ 7. Practically speaking, it would be infeasible to allow representatives from all of these PSAPs to have access to a call box at Allegiance's single switch. With respect to security, there would be no single PSAP in whom to entrust the key to the call box since each PSAP presumably would need the same access in the event they might become isolated from Allegiance's switch.
- ✓ 8. Even assuming that there is a practical way to allow access for each PSAP, it is doubtful that access to the call box would be of much use to the PSAPs. In an emergency situation, personnel from remote PSAPs are not likely to travel all the way to Allegiance's switch in downtown Chicago in order to access the call box and dispatch 9-1-1 calls. Moreover, if more than one PSAP became isolated from Allegiance's switch, it would be difficult for all representatives from all the PSAPs to field calls from Allegiance's single call box. Even if a representative from a single PSAP accessed the call box, all of Allegiance's 9-1-1 calls would be routed to the call box upon its activation. At that point, there would be no practical way to dispatch 9-1-1 calls selectively between the call box and other non-isolated PSAP, and the representative accessing the call box would have to be responsible for handling calls not

only to its own PSAP but also to every other PSAP.

- ✓ 9. Waiver of the call box requirement would not jeopardize public safety. Allegiance intends to have physically diverse paths between its switch and the E911 selective routers (911 tandems) in the Chicago suburbs. Moreover, in the City of Chicago, Allegiance will also have diverse paths to the two 911 offices designated for Allegiance by Ameritech. With this diversity, any malfunctioning trunk could be repaired while traffic is moved to operational trunks, and Allegiance's customers and the PSAPS are unlikely to experience an outage. It is, therefore, unlikely that a PSAP would become isolated from Allegiance's switch, and there is little need for a call box at Allegiance's switch. In short, Allegiance would use its diverse routing capability as a substitute for placing a call box at Allegiance's switch.
- ✓ 10. I understand that at least two other competitive LECs, Focal Communications Corporation and MCImetro Access Transmission Services, Inc., have requested similar waivers. Allegiance's business and operations are structured similar to those of these two companies. Accordingly, if the Commission waives the call box requirement for those competitive LECs, Allegiance should be granted the same waiver.

11. FURTHER AFFIANT SAITH NOT.

\_\_\_\_\_  
Charles P. Wehnes

SWORN TO AND SUBSCRIBED before me on the \_\_\_\_\_ day of \_\_\_\_\_, 1998.

\_\_\_\_\_  
Notary Public In and For the  
State of \_\_\_\_\_

My commission expires: \_\_\_\_\_